

Appl. No. 10/031,613

**REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-5, 7, 8, and 10-12 are now present in the application. The specification and claim 1 have been amended. Claims 1 and 2 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Specification Objections**

The specification has been objected to because the disclosure fails to provide a Brief Description of Drawings and Section Headings. In view of the foregoing amendments, in which the Examiner's helpful suggestions have been followed, it is respectfully submitted that this objection has been addressed. It is respectfully submitted that no new matter is present in the amended specification. Reconsideration and withdrawal of this objection are respectfully requested.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 1-4, 7 and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakata, U.S. Patent No. 5,388,159. Claims 5 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakata in view of Cox, U.S. Patent No. 4,602,337. These rejections is respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. Independent claim 1 has been amended to recite "said oscillator... modify an original electric signal into at least one very low amplitude and high frequency oscillating electric signal" and "said oscillator...

Appl. No. 10/031,613

modifies an original electric pulse into at least one electric micro-phase-shift modulated pulse. Support for the above recitation can be found on page 1, line 20, page 2, line 3, and page 3, line 3 of the PCT application. Independent claim 2 recites "said oscillator creating at least one electric micro-phase shift modulation of an original electric pulse in order to modify an original electric signal into at least one very low amplitude and high frequency oscillating electric signal". Applicants respectfully submit that the above combinations of elements as set forth in amended independent claim 1 and independent claim 2 are not disclosed nor suggested by the references relied on by the Examiner.

Sakata discloses an equalizing circuit for reproduced signals. In particular, Sakata discloses that an input signal is divided into high frequency components and a low frequency component (see Abstract). Sakata also discloses that the high frequency components are amplitude-modulated and the amplitude-modulated high frequency components and the low frequency component (unmodulated) are combined to obtain a synthesized signal (see Abstract and FIGs. 10 and 16). However, Sakata fails to teach applying micro-phase shift modulation to the original input signal. Applicants respectfully submit that the micro-phase shift modulation shifts the instant electric pulse into delayed electric micro-pulses (see page 1, lines 20-21 of the instant application), which is different from the amplitude modulation applied in Sakata. In addition, Sakata's low frequency component of the input signal is neither amplitude modulated nor micro-phase shift modulated. Accordingly, Sakata fails to teach the above recitation of claims 1 and 2.

With regard to the Examiner's reliance on Cox, this reference has only been relied on for its teachings related to the subject matter of dependent claims 5 and 8. Cox also

Appl. No. 10/031,613

fails to disclose the above combinations of elements as set forth in independent claims 1 and 2. Accordingly, Cox fails to cure the deficiencies of Sakata.

Accordingly, neither of the references utilized by the Examiner individually or in combination teaches or suggests the limitations of independent claims 1 and 2 or their dependent claims. Therefore, Applicants respectfully submit that claims 1 and 2 and their dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

### CONCLUSION

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is authorized to be charged to Dep. Acct 02-2448.

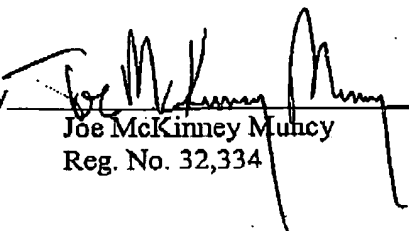
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-

Appl. No. 10/031,613

2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly,  
extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy  
Reg. No. 32,334

KM/GH/mmi  
0040-0152P

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000